REMARKS

An Office Action mailed September 8, 2005 rejected all of the pending claims under 35 U.S.C. § 103. As of this Response, claims 1-3, 5-7, 9-11, 13-18, 20-21, 23-24, and 27-32 are pending. Applicant hereby respectfully requests reconsideration of the application.

CLAIMS 1, 10, AND 27-32

The Office Action rejected Claims 1, 10, and 27-32 as being obvious in view of the combination of Pugliese III (6,044,353) and Yamazaki (5,793,693). The Office Action contends that, with respect to claims 1 and 27-32, Pugliese III discloses everything as claimed except for an indication of the number of bags that are to be checked. That aspect is asserted to be shown by Yamazaki. Applicant respectfully disagrees.

The Applicant submits that neither of the cited references teaches the claimed invention, either alone or in combination. Pugliese III is an automated baggage check-in system. Importantly, the Pugliese III system is ***backward*** from that of claim 1, teaching that baggage is to be checked first, curbside, before proceeding into the terminal to check in.

The office action points to column 7, lines 1-6 for the proposition that Pugliese III instructs passengers to first obtain a boarding pass before checking baggage. The Applicant respectfully disagrees. At column 6, line 40-47 (just preceding the excerpt cited in the office action), Pugliese III teaches that passengers first check in bags upon arrival at the airport. The language cited in the office action at column 7 of Pugliese III states that the "passenger *then* proceeds through the entrance 12 of the airline terminal..." where there are automatic ticket machines and a ticket counter. The passage at column 11, lines 17-37 states that the passenger must have a *reservation* before being allowed to check in baggage. By contrast, claim 1 does not merely require a reservation, but rather requires a passenger to first obtain a *boarding pass* from a location inside the airport terminal, with the boarding pass including an indication of the number of bags to be checked, then requires the bags to be checked at a second location within

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the terminal in accordance with that indication on the boarding pass. Pugliese III teaches none of these aspects.

Moreover, Pugliese III expressly teaches that its automated system requires the passenger to indicate the number of bags to be checked at the bag check station because it did *not* obtain that information earlier. Thus, Pugliese III explains that the machine will ". . .request that the passenger input the number of bags to be checked for the destination specified in the reservation." (col. 4, lines 26-27). The Applicant is not aware of any indication in Pugliese III that suggests the desirability of obtaining the bag check or other information directly from the boarding pass.

The office action also cites to Yamazaki as teaching that it is known to indicate the number of bags on a boarding pass, and that the system stores the number of bags in advance so that the passenger need not wait in a long line at the automatic baggage machine. The applicant respectfully contends that this reduces the invention to storing baggage information or printing it on a boarding pass in a manner that is divorced from the actual claim language. Because Pugliese III does not teach the above aspects, the invention cannot be obvious in view of the combination of these two references.

Neither Pugliese III nor Yamazaki teach the two-step process as claimed in claim 1, in which the passenger first enters information at an electronic station at the airport in order to obtain a boarding pass, and then presents the boarding pass at a second location at the airport in order to check bags. When the passenger proceeds to the baggage check station, the process proceeds more quickly because the passenger has already independently indicated the number of bags, and the boarding pass bears an indication of that information.

In Yamazaki, the baggage check is automated. For that reason, there is no presentation of the boarding pass at the second location in order to check bags. Instead, Yamazaki explains that the baggage tags are printed at the first location. Col. 12, lines 65-67. The passenger then directly deposits bags into the automated baggage machine, which verifies the number of bags by

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counting the bags and comparing them with information in the database. At no time does the passenger present the boarding pass at the second location as claimed in claim 1.

Any reliance on Pugliese III and Yamazaki for this claimed invention is at best a hindsight reconstruction. More importantly, even in hindsight no reconstruction is possible because these references do not at all teach the steps of the claimed method arranged as claimed. For example, neither reference teaches or suggests that passengers should obtain a boarding pass within the airport in order to check in at a first location, then present the boarding pass at a second location in order to check bags.

The office action also relies on Yamazaki and Pugliese III in rejecting claim 10. In addition to some of the above defects, Pugliese III does not teach allowing the passenger to check bags only if the passenger has already checked in. According to the office action, Yamazaki teaches this aspect. Again, however, the office action overlooks additional claim language. In claim 10, the claimed system includes a scanner and stored instructions to scan and interpret the boarding pass, only allowing bags to be checked if the passenger has checked in. By contrast, neither of the cited references scans the boarding pass for this or any other purpose. Yamazaki does not scan the boarding pass at all, but rather counts bags deposited onto a conveyor. Because these aspects are not taught at all by the cited references, claim 10 should be allowed.

Finally, the office action rejected claims 27-32 on the general grounds as set forth for claims 1 and 10, but without specifically addressing claims 27-32 or the limitations they include. Claims 27 and 28 should be allowed for at least some of the reasons set forth above. In addition, claim 29 requires an indication of whether there are additional charges to be collected, then processing in accordance with that indication. This aspect greatly speeds the process by enabling the airline agent to know immediately when the passenger approaches the counter that such fees are required because the passenger has already checked in at a first location where such information is provided. Nothing in the cited references teaches this aspect. In a similar fashion,

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claims 30-32 provide that the additional information relates to the presence of an unaccompanied minor, large luggage items, and special service requests. As explained above, the claimed invention provides a sizeable advantage over prior art systems because passengers provide this information at a first station within the terminal before proceeding to a second location where the further processing occurs. Providing this information at a first terminal before reaching the agent greatly speeds check-in and allows the airline to better manage the flow of passengers and baggage during the check-in process.

Therefore, Applicant submits that claims 1, 10, and 27-32 are allowable. Each of the claims depending from them should be allowed as well.

CLAIMS 2, 3, 5-7, 9, 11, AND 13-18

The office action rejected this group of dependent claims as well. As discussed above, each of these claims should be allowed as depending from an allowable base claim.

With respect to claims 2 and 3, the office action combines Pugliese III and Yamazaki with Barclay. The Barclay reference is cited for the teaching of a barcode printed on a boarding pass. Though Barclay certainly shows a barcode on a boarding pass, there is no teaching or suggestion to use the barcode in the fashion as claimed. As claimed in claims 2 and 3, the barcode is scanned at a second location in order to check bags in the first instance. The cited passage in Barclay does not even scan the boarding pass at all, but rather scans a barcode on a "PassPro" card that is used to obtain a boarding pass. Barclay at col. 3, lines 52-65. Nothing in Barclay or the other references teaches the invention as claimed, in which a boarding pass is issued at a first location within the airport, then the boarding pass containing a bar code is scanned at a second location in order to check luggage.

The rejection with respect to claims 5-7, 9, 11, and 13-18 likewise improperly treats the invention as a collection of individual components and fails to consider the specific method steps and the claimed interrelationship between components. The applicant concedes that he did not

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invent a scanner, a barcode, or a conveyor. Rather, the claimed invention relates to a particular combination of these and other components in a fashion not suggested by the prior art and that brings significant advantages in processing passengers at check-in.

CLAIMS 20-21, 23-24

The Office Action rejected Claims 20, 21, and 23-24 as being unpatentable in view of the combination of Pugliese III, Yamazaki, and Goheen (5,724,520). The Office Action states that Pugliese III and Yamazaki teach all of the claimed limitations except for a sign directing passengers to proceed as claimed.

There are numerous claimed aspects that are not taught in Pugliese III or Yamazaki, including several of those discussed above that are incorporated into this set of claims. In addition, the separate claims in the group of 20-21 and 23-24 include many limitations that are not taught by the cited references and not addressed by the office action. For example, claim 23 requires the drop point conveyor to be comprised of an initial conveyor and a staging conveyor, with a height relationship between the two conveyors. This aspect is not taught by the cited references and not discussed in the office action.

Claim 24 further recites a sensor associated with the drop point conveyor that operates with a conveyor controller and only enables bags to be moved to the central conveyor when there are no bags in an interfering position. Again, this aspect is not taught by the cited references and not addressed by the office action.

The office action refers to Pugliese III, contending that it discloses sensors to detect the presence of an item on the central conveyor. The Pugliese III sensor, however, is not on the central conveyor, but rather on the portion of the conveyor adjacent the automated baggage machine. Moreover, Pugliese III does not teach the use of a conveyor controller that operates as claimed. Instead, the conveyor controller of Pugliese III simply causes the conveyor to operate

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whenever a bag is sensed to be present, and to count the number of bags deposited onto the belt. Pugliese III, at col. 9, lines 23-54.

Finally, the office action relies on Goheen for a teaching with respect to a sign. Goheen, however, simply provides directions and general information. The sign of claim 20, by contrast, is one that directs "the passenger to proceed to one or more of the kiosks before proceeding to the baggage drop station." The applicant is not aware of anything in Goheen or the other cited references that provides this instruction, nor any motivation suggesting the desire to do so.

Therefore, Applicant submits that claims 20, 21, 23, and 24 should be allowable over the cited references.

CONCLUSION

The applicant respectfully submits that the claims are now in condition for allowance, and requests reconsideration and allowance of all pending claims.

Respectfully submitted,

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MAIL CERTIFICATE

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